

RESOLUTION NO. 2014-56

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S SIGNATORY FOR
ALL AMENDMENTS TO THE EXISTING UNION PACIFIC RAILROAD
CONSTRUCTION AND MAINTENANCE AGREEMENT FOR THE GRANT LINE ROAD
WIDENING PROJECT**

WHEREAS, construction bids have been received for the Grant Line Road Widening Project; and

WHEREAS, the previous Construction and Maintenance (C&M) Agreement with Union Pacific Railroad (UPRR) was executed on September 26, 2012 and was based on the engineer's estimate of probable cost; and

WHEREAS, to be eligible for Section 190 Grade Separation Program grant funding this agreement must be amended to clarify UPRR is required to pay 10% of the theoretical bridge cost without a not-to-exceed value; and

WHEREAS, there may be other minor amendments to the C&M Agreement to meet the eligibility requirements of this grant; and

WHEREAS, the California Environmental Quality Act (Section 21000 et seq. of the Public Resources Code, herein after CEQA) requires that cities consider the environmental consequences of their actions before approving a project; and

WHEREAS, the Project is a project under CEQA; and

WHEREAS, on December 14, 2005, the City Council adopted a Final Mitigated Negative Declaration (MND) for the Grant Line Road Widening Project (SCH No. 2005102056); and

WHEREAS, on October 26, 2011, the City Council adopted Resolution No. 2011-206, approving Addenda 1, 2, and 3 and the design for Phase 1 of the project to the MND; and

WHEREAS, on March 13, 2013, the City Council adopted Resolution No. 2013-42, approving Addendum 4 and the Grant Line Road Widening Project as modified by the addendum.


NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby finds that no further environmental review is required for the Grant Line Road Widening Project based upon the following finding:

Finding: The proposed action is consistent with the MND and subsequent addenda, and no further environmental review is required.

Evidence: The proposed action is activity contemplated and included in the Grant Line Road Widening Project MND and subsequent addenda. The Project will be subject to the mitigation measures contained within the adopted Mitigation Monitoring and Reporting Program. The potential environmental impacts were adequately analyzed as part of the MND and subsequent addendum. No new information or special circumstances exist that would require additional analysis of the action. Therefore, no further environmental review is required.

BE IT FURTHER RESOLVED that the City Council of the City of Elk Grove hereby authorizes the City of Elk Grove City Manager, or designee, as agent to execute and submit all amendments to the UPRR C&M Agreement which may be necessary to meet the eligibility requirements for the Section 190 Grade Separation Program grant for the Grant Line Road Widening Project, with all agreements and agreement amendments subject to approval as to form by the City Attorney;

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of March 2014.




GARY DAVIS, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,
CITY ATTORNEY

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2014-56**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)

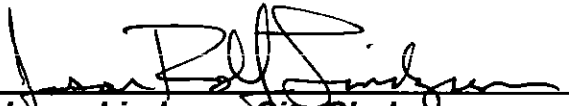
I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 12, 2014 by the following vote:

AYES : COUNCILMEMBERS: *Davis, Cooper, Detrick, Hume, Trigg*

NOES: COUNCILMEMBERS: *None*

ABSTAIN : COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*


**Jason Lindgren, City Clerk
City of Elk Grove, California**